

considered for listing or related actions in the National Register of Historic Places. Nominations for their consideration were received by the National Park Service before May 15, 2021. Pursuant to Section 60.13 of 36 CFR part 60, comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Nominations submitted by State or Tribal Historic Preservation Officers:

#### ALABAMA

##### Hale County

Magnolia Hall, 805 Otts St., Greensboro, SG100006665

#### GEORGIA

##### De Kalb County

East Atlanta Historic District, Roughly bounded by I20, Moreland Ave., Edgemore Dr., Elmhurst Cir., Wainwright Dr., and Fayetteville Rd., Atlanta, SG100006668

##### Habersham County

Clarksville Downtown Square Historic District (Clarksville MRA), Along Washington St. (US 441/23), roughly bounded by Jefferson, Morgan, Madison, Water, Monroe, and Grant Sts., Clarksville, MP100006669

##### Upson County

McDaniel, John and Effie, House, 317 West Main St., Thomaston, SG100006662

#### KANSAS

##### Chase County

Cottonwood Falls Grade School (Public Schools of Kansas MPS), 401 Maple St., Cottonwood Falls, MP100006682

##### Douglas County

Kansas Homestead of Thomas McQuill(i)an (Agriculture-Related Resources of Kansas MPS), 1320 North 150 Rd., Baldwin City vicinity, MP100006683

#### KENTUCKY

##### Jefferson County

Conrad, Theophilus T., House-Rose Anna Hughes Presbyterian Widows Home, 1402 St. James Ct., Louisville, SG100006661

#### MAINE

##### Kennebec County

Brunswick Square, Bounded by School St., Brunswick, Dresden, and Lincoln Aves., Gardiner, SG100006675

#### Somerset County

Young Surgical Building-Central Maine Sanatorium, 50 Mountain Ave., Fairfield, SG100006674

#### MINNESOTA

##### Rice County

Northfield Commercial Historic District (Boundary Decrease), Roughly bounded by South Water, Division, Washington, East 3rd, West 3rd, East 4th, and West 6th Sts., Dahomey Ave./TH 3, Northfield, BC100006666

#### NEW JERSEY

##### Essex County

Everett Court Apartments, The, 76–80 Court St., Newark, SG100006672

#### NEW YORK

##### Erie County

John Kam Company Malt House & Kiln House, 356 Hertel Ave., Buffalo, SG100006684

#### OREGON

##### Union County

Oregon Trail: La Grande to Hilgard Segment, (The Oregon Trail, Oregon, 1840 to 1880 MPS), Hilgard Quadrangle, T3S R37E Secs. 10, 11, 12; T3S R38E Sec. 7 (South of I84 between La Grande and Hilgard), La Grande, MP100006679

Additional documentation has been received for the following resources:

#### ALABAMA

##### Dallas County

Water Avenue Historic District (Additional Documentation), Water Ave., bounded by Lauderdale St., MLK Blvd., Beech Creek, Alabama R, Selma, AD050006650

#### ARKANSAS

##### Pulaski County

Central High School Neighborhood Historic District (Additional Documentation), Roughly bounded by MLK Dr., Thayer Ave., West 12th St., and Roosevelt Rd., Little Rock, AD96000892

#### KENTUCKY

##### Jefferson County

Highlands Historic District (Additional Documentation), Roughly bounded by Barrett Ave., Eastern Pkwy., Fernwood, Bardstown, Woodbourne, Ellerbee, and Sherwood Aves., Louisville, AD83002680

#### MICHIGAN

##### St. Joseph County

White Pigeon Prairie Land Office (Additional Documentation), 113 West Chicago Rd., White Pigeon, AD88003234

#### MINNESOTA

##### Rice County

Northfield Commercial Historic District (Additional Documentation), Roughly bounded by South Water, Division, Washington, East 3rd, West 3rd, East 4th,

and West 6th Sts., Dahomey Ave./TH 3, Northfield, AD79003125

Nominations submitted by Federal Preservation Officers:

The State Historic Preservation Officer reviewed the following nominations and responded to the Federal Preservation Officer within 45 days of receipt of the nominations and supports listing the properties in the National Register of Historic Places.

#### IDAHO

##### Custer County

Yankee Fork Gold Dredge, 300 Yankee Fork Rd. (Forest Service Rd. 013), Stanley vicinity, SG100006663

#### WYOMING

##### Sweetwater County

Lucerne Valley Archaeological District, Address Restricted, Washam vicinity, SG100006664

**Authority:** Section 60.13 of 36 CFR part 60.

Dated: May 18, 2021.

##### Sherry A. Frear,

*Chief, National Register of Historic Places/ National Historic Landmarks Program.*

[FR Doc. 2021–10978 Filed 5–24–21; 8:45 am]

**BILLING CODE 4312–52–P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1195]

### Certain Electronic Candle Products and Components Thereof Commission Determination To Review in Part an Initial Determination Finding a Violation of Section 337; Schedule for Filing Written Submissions on the Issues Under Review and on Remedy, the Public Interest, and Bonding

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined to review in part an initial determination (“ID”) (Order No. 41) of the presiding administrative law judge (“ALJ”). The Commission requests briefing from the parties on certain issues under review, as indicated in this notice. The Commission also requests briefing from the parties, interested government agencies, and other interested persons on the issues of remedy, the public interest, and bonding.

**FOR FURTHER INFORMATION CONTACT:** Robert Needham, Esq., Office of the General Counsel, U.S. International

Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-5468. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on April 6, 2020, based on a complaint filed by L&L Candle Company LLC of Brea, California and Sotera Tschetter, Inc. of St. Paul, Minnesota (together, "Complainants"). 85 FR 19158-59. The complaint alleged violations of section 337 in the importation into the United States, the sale for importation, and the sale after importation within the United States after importation of certain electronic candle products and components thereof by reason of infringement of one or more of claims 1-6, 10, 12-15, 17-19, and 28 of U.S. Patent No. 8,550,660; claims 1-15 of the U.S. Patent No. 9,366,402; claims 1-4, 6-12, 14-18, 20-25, 27, and 28 of the U.S. Patent No. 9,512,971; claims 1-7, 10-14, 17, 18, 22, 24, 25, 27, and 29 of U.S. Patent No. 9,523,471; and claims 1-5, 7, 8, 10-12, 15, 17, 21 and 22 of U.S. Patent No. 10,533,718. *Id.* The notice of investigation named as respondents The Gerson Company of Olathe, Kansas; Gerson International (H.K.) Ltd. of Hong Kong; Sterno Home Inc. of Coquitlam, Canada; Ningbo Huamao International Trading Co., Ltd. of Ningbo City, China; Ningbo Yinzhou Langsheng Artware Co., Ltd. of Ningbo City, China; Lifetime Brands, Inc. of Garden City, New York; Scott Brothers Entertainment, Inc. of Las Vegas, Nevada; Nantong Ya Tai Candle Arts & Crafts Co., Ltd. of San Gabriel, California; NapaStyle, Inc. of Napa, California; Veraflame International, Inc. of Vancouver, Canada ("Veraflame"); MerchSource, LLC of Irvine, California; Ningbo Mascube Import Export Company of Ningbo City, China ("Ningbo Mascube"); Decorware International Inc. dba Decorware Inc. of Rancho Cucamonga, California; Shenzhen Goldenwell Smart Technology Co., Ltd. of Shenzhen City, China; Shenzhen Ksperway Technology Co., Ltd. of Shenzhen City, China; Ningbo Shanhuang Electric Appliance Co. of Ningbo City, China ("Ningbo

Shanhuang"); Yiwu Shengda Art Co., Ltd. of Yiwu City, China ("Yiwu Shengda"); Shenzhen Tongfang Optoelectronic Technology Co., Ltd. of Shenzhen City, China; TFL Candles of Shenzhen City, China; Guangdong Tongfang Lighting Co., Ltd. of Hong Kong; Tongfang Optoelectronic Company of Hong Kong; and Virtual Candles Limited of Kent, United Kingdom ("Virtual Candles"). *Id.* at 19159. The Office of Unfair Import Investigations ("OUII") is a party to the investigation. *Id.*

The Commission terminated five respondents from the investigation based on consent orders. See Order No. 7 (May 4, 2020), *unreviewed by* Notice (Jun. 3, 2020) (terminating the investigation with respect to Shenzhen Tongfang Optoelectronic Technology Co., Ltd.; TFL Candles; Guangdong Tongfang Lighting Co., Ltd.; and Tongfang Optoelectronic Company); Order No. 37 (Dec. 17, 2020), *unreviewed by* Notice (Jan. 5, 2021) (terminating the investigation with respect to Nantong Ya Tai Candle Arts & Crafts Co., Ltd. based on a consent order and a settlement agreement). The Commission also terminated eight respondents from the investigation based on settlement. Order No. 12 (Jun. 15, 2020), *unreviewed by* Notice (Jun. 20, 2020) (terminating The Gerson Company and Gerson International (H.K.) Ltd. based on settlement); Order No. 15 (Jul. 15, 2020), *unreviewed by* Notice (Aug. 5, 2020) (terminating MerchSource, LLC based on settlement); Order No. 29 (Oct. 19, 2020), *unreviewed by* Notice (Nov. 2, 2020) (terminating Decorware International Inc. based on settlement); Order No. 38 (Dec. 18, 2020), *unreviewed by* Notice (Jan. 5, 2021) (Sterno Home Inc., Ningbo Huamao International Trading Co., Ltd., and Ningbo Yinzhou Langsheng Artware Co., Ltd. based on settlement); Order No. 39 (Dec. 18, 2020), *unreviewed by* Notice (Jan. 5, 2021) (terminating Lifetime Brands, Inc. based on settlement). The Commission further terminated three respondents from the investigation based on Complainants' partial withdrawal of the complaint due to the failure to serve those entities with the complaint and notice of investigation. Order No. 35 (Nov. 13, 2020), *unreviewed by* Notice (Nov. 30, 2020) (terminating NapaStyle, Inc., Shenzhen Goldenwell Smart Technology Co., Ltd., and Shenzhen Ksperway Technology Co., Ltd. based on a partial withdrawal of the complaint). Finally, the Commission terminated Scott Brothers Entertainment Inc. from the investigation based on a

summary determination that Complainants failed to establish the importation requirement with respect to that respondent. Order No. 17 (Jul. 28, 2020), *unreviewed by* Notice (Aug. 28, 2020).

With respect to the five remaining respondents, the Commission found Veraflame, Ningbo Mascube, Virtual Candles, Yiwu Shengda, and Ningbo Shanhuang (together, "the Defaulting Respondents") in default for failing to respond to the complaint and notice of investigation and for failing to show cause why they had not done so, or for failing to participate in discovery. Order No. 14 (Jul. 8, 2020), *unreviewed by* Notice (Aug. 3, 2020) (finding Veraflame, Mascube, and Virtual Candles in default); Order No. 33 (Nov. 12, 2020), *unreviewed by* Notice (Nov. 30, 2020) (finding Yiwu Shengda and Ningbo Shanhuang in default).

On November 13, 2020, Complainants moved for a summary determination of violation and for a recommendation for the issuance of a GEO. On December 4, 2020, OUII filed a response that questioned whether Complainants had satisfied the economic prong of the domestic industry requirement, but otherwise supported a finding of violation and the issuance of a GEO. On December 9, 2020, Complainants filed a reply in support of their motion.

On April 2, 2021, the ALJ issued the subject ID and granted Complainants' motion for a summary determination of violation by each of the five Defaulting Respondents. Order No. 41 (Apr. 2, 2021). No party petitioned for review of the subject ID.

The Commission has determined to review the subject ID in part. Specifically, the Commission has determined to review the ID's finding that Complainants satisfied the economic prong of the domestic industry requirement. The Commission has not determined to review any other findings in the ID.

In connection with its review, the Commission is interested in briefing on the following issues:

1. Attached to Complainants' motion for summary determination, Complainants submitted the declaration of Dr. Seth Kaplan. That declaration repeatedly refers to exhibits "attached hereto," but the declaration contains no attachments. Do the documents referred to in Dr. Kaplan's declaration appear elsewhere in the record? If so, please identify the location. If not, please address the admissibility of Dr. Kaplan's declaration and whether the Commission should entertain a motion under Rule 210.15 (19 CFR 210.15) by Complainants, accompanied by the

*exhibits*, to reopen the record to admit the exhibits into the administrative record.

2. Please discuss Complainants' domestic industry investments under Section 337(a)(3)(A), (B), or (C) that are related to products that practice each patent and explain whether such investments are significant or substantial under each subsection in light of Commission and Federal Circuit precedents. Please include in your response, a contextual discussion of the relevant marketplace, for example, without being exhaustive, a discussion of Complainants' foreign investments relative to its domestic industry expenditures in these statutory categories, a discussion of the value added to the product from Complainant's activities in the United States, and/or a discussion of the domestic industry investments in the statutory categories relative to Complainants' total domestic operations. *See, e.g., Certain Carburetors & Prods. Containing Such Carburetors*, Inv. No. 337-TA-1123, Comm'n Op., 2019 WL 5622443, \*12 (Oct. 28, 2019); *Certain Solid State Storage Drives, Stacked Electronics Components, and Products Containing the Same*, Inv. No. 337-TA-1097, Commission Op. at 29-30 (June 29, 2018).

3. Please address whether the domestic industry investments constitute investments in the "exploitation" of the asserted patents under Section 337(a)(3)(C). *See Certain Integrated Circuit Chips and Products Containing the Same*, Inv. No. 337-TA-859, Comm'n Op., 2014 WL 12796437 (Aug. 22, 2014).

4. Please explain whether Complainants' asserted domestic industry differs from that of a mere importer, including by discussing: (A) How the Commission and the Federal Circuit have considered such investments in prior investigations, and (B) how the facts of this investigation should be assessed in light of applicable precedent. Also address the extent to which the activities relied upon to show satisfaction of the economic prong need to take place in the United States either as a legal or a practical matter, such that those activities would not distinguish a domestic industry from a mere importer. The parties are invited to brief only the discrete issues described above, with reference to the applicable law and evidentiary record. The parties are not to brief other issues on review, which are adequately presented in the parties' existing filings.

In connection with the final disposition of this investigation, the

statute authorizes issuance of (1) an order that could result in the exclusion of the subject articles from entry into the United States, and/or (2) cease and desist orders that could result in the respondents being required to cease and desist from engaging in unfair acts in the importation and sale of such articles. Accordingly, the Commission is interested in receiving written submissions that address the form of remedy, if any, that should be ordered. If a party seeks exclusion of an article from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or likely to do so. For background, see *Certain Devices for Connecting Computers via Telephone Lines*, Inv. No. 337-TA-360, USITC Pub. No. 2843, Comm'n Op. at 7-10 (December 1994).

The statute requires the Commission to consider the effects of that remedy upon the public interest. The public interest factors the Commission will consider include the effect that an exclusion order and/or a cease and desist order would have on (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

If the Commission orders some form of remedy, the U.S. Trade Representative, as delegated by the President, has 60 days to approve, disapprove, or take no action on the Commission's determination. *See* Presidential Memorandum of July 21, 2005, 70 FR 43251 (July 26, 2005). During this period, the subject articles would be entitled to enter the United States under bond, in an amount determined by the Commission and prescribed by the Secretary of the Treasury. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed if a remedy is ordered.

**Written Submissions:** The Commission requests that the parties to the investigation file written submissions on the issues identified in this notice. Parties to the investigation, interested government agencies, and any other interested parties are encouraged to file written submissions on the issues

of remedy, the public interest, and bonding. Such initial submissions should include views on the recommended determination by the ALJ on remedy and bonding.

In their initial submissions, Complainants and OUII are also requested to identify the remedy sought and to submit proposed remedial orders for the Commission's consideration. Complainants are also requested to state the HTSUS subheadings under which the accused products are imported and to supply the identification information for all known importers of the products at issue in this investigation. The initial written submissions and proposed remedial orders must be filed no later than close of business on June 1, 2021. Reply submissions must be filed no later than the close of business on June 8, 2021. No further submissions on these issues will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. The Commission's paper filing requirements in 19 CFR 210.4(f) are currently waived. 85 FR 15798 (March 19, 2020). Submissions should refer to the investigation number (Inv. No. 337-TA-1195) in a prominent place on the cover page and/or the first page. (*See Handbook for Electronic Filing Procedures*, [https://www.usitc.gov/documents/handbook\\_on\\_filing\\_procedures.pdf](https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf)). Persons with questions regarding filing should contact the Secretary, (202) 205-2000.

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. A redacted non-confidential version of the document must also be filed simultaneously with any confidential filing. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this investigation may be disclosed to and used: (i) By the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5

U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes. All contract personnel will sign appropriate nondisclosure agreements. All nonconfidential written submissions will be available for public inspection on EDIS.

The Commission vote for this determination took place on May 19, 2021.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: May 19, 2021.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2021-10944 Filed 5-24-21; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-658-659 and 731-TA-1538-1542 (Final)]

### Aluminum Foil From Armenia, Brazil, Oman, Russia, and Turkey Scheduling of the Final Phase of Countervailing and Antidumping Duty Investigations

**AGENCY:** United States International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission hereby gives notice of the scheduling of the final phase of antidumping and countervailing duty investigation Nos. 701-TA-658-659 and 731-TA-1538-1542 (Final) pursuant to the Tariff Act of 1930 ("the Act") to determine whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of aluminum foil from Armenia, Brazil, Oman, Russia, and Turkey, provided for in subheadings 7607.11.30, 7607.11.60, 7607.11.90, and 7607.19.60 of the Harmonized Tariff Schedule of the United States, preliminarily determined by the Department of Commerce ("Commerce") to be sold at less-than-fair-value and imports of aluminum foil preliminarily determined to be subsidized by the governments of Oman and Turkey.

**DATES:** May 4, 2021.

**FOR FURTHER INFORMATION CONTACT:** Celia Feldpausch (202) 205-2387, Office of Investigations, U.S. International

Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<https://www.usitc.gov>). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

#### SUPPLEMENTARY INFORMATION:

**Scope.**—For purposes of these investigations, Commerce has defined the subject merchandise as "aluminum foil having a thickness of 0.2 mm or less, in reels exceeding 25 pounds, regardless of width. Aluminum foil subject to these investigations are made from an aluminum alloy that contains more than 92 percent aluminum. Aluminum foil may be made to ASTM specification ASTM B479, but can also be made to other specifications. Regardless of specification, however, all aluminum foil meeting the scope description is included in the scope, including aluminum foil to which lubricant has been applied to one or both sides of the foil."<sup>1</sup>

**Background.**—The final phase of these investigations is being scheduled pursuant to sections 705(b) and 731(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b) and 1673d(b)), as a result of affirmative preliminary determinations by Commerce that certain benefits which constitute subsidies within the meaning of § 703 of the Act (19 U.S.C. 1671b) are being provided to manufacturers, producers, or exporters of aluminum foil in Oman and Turkey, and that such products from Armenia, Brazil, Oman, Russia, and Turkey are being sold in the United States at less than fair value within the meaning of § 733 of the Act (19 U.S.C. 1673b). The investigations were requested in petitions filed on September 29, 2020, by the Aluminum Association Trade Enforcement Working Group, Arlington, Virginia and its individual members—Granges Americas Inc., Franklin, Tennessee; JW Aluminum Company,

<sup>1</sup> For a full description of the scope of these investigations, including product exclusions, see Appendix I of *Certain Aluminum Foil from the Republic of Armenia: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination and Extension of Provisional Measures*, 86 FR 23672, May 4, 2021.

Daniel Island, South Carolina; and Novelis Corporation, Atlanta, Georgia.

For further information concerning the conduct of this phase of the investigations, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

**Participation in the investigations and public service list.**—Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the final phase of these investigations as parties must file an entry of appearance with the Secretary to the Commission, as provided in § 201.11 of the Commission's rules, no later than 21 days prior to the hearing date specified in this notice. A party that filed a notice of appearance during the preliminary phase of the investigations need not file an additional notice of appearance during this final phase. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, <https://edis.usitc.gov>). No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice.

**Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.**—Pursuant to § 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of these investigations available to authorized applicants under the APO issued in the investigations, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigations. A party granted access to BPI in the preliminary phase of the investigations need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

**Staff report.**—The prehearing staff report in the final phase of these investigations will be placed in the nonpublic record on August 27, 2021, and a public version will be issued